

FLM/emv
07815-082135

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GAIL "H",

Plaintiff,

-against-

THE CITY OF NEW YORK, PRISON HEALTH
SERVICES, INC., DR. FRANCK LEVEILLE, M.D.,
NURSE "JANE DOE", CORRECTION OFFICER JANE
DOE 1, and CORRECTION OFFICER JANE DOE 2,

Defendants.

**RESPONSE TO
PLAINTIFF'S FIRST
REQUEST FOR
ADMISSION TO
FRANCK LEVEILLE, M.D.**

10 CV 9597 (PAC) (AJP)

PLEASE TAKE NOTICE, that defendant FRANCK LEVEILLE, M.D. s/h/a DR.
FRANCK LEVEILLE, M.D., by his attorneys, Martin Clearwater & Bell LLP, respond to
Plaintiff's First Request for Admission dated May 16, 2011, as follows, and upon information
and belief:

REQUESTS FOR ADMISSION

Request 1:

Did Franck Leveille, on March 28, 2010, at 19-19 Hazen Street, East Elmhurst, New
York, place his penis in the plaintiff, Gail H's mouth?

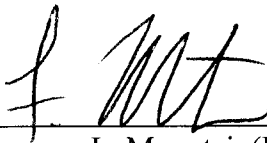
Response to Request 1:

No.

Dated: White Plains, New York
June 3, 2011

Yours, etc.

MARTIN CLEARWATER & BELL LLP

By 
Francesca L. Mountain(FM9023)
Attorneys for Defendant
FRANCK LEVEILLE, M.D. s/h/a DR.
FRANCK LEVEILLE, M.D
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TO: ANDREW F. PLASSE, P.C.
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CORPORATION COUNSEL OF
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100 Church Street
New York, New York 10007
(212) 788-1240

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

Rosita Calixto, being duly sworn, deposes and says that he is not a party to this action, is over 18 years of age and is an employee in the office of MARTIN CLEARWATER & BELL LLP, attorneys for the defendant FRANCK LEVEILLE, M.D. s/h/a DR. FRANCK LEVEILLE.

That on June 3, 2011, he served the within **RESPONSE TO PLAINTIFF'S FIRST REQUEST FOR ADMISSION TO FRANCK LEVEILLE, M.D.** upon the following attorneys by depositing a true copy of the same securely enclosed in a post-paid wrapper in the Official Depository maintained and exclusively controlled by the United States at 245 Main Street, White Plains, NY 10601 directed to said attorneys at:

ANDREW F. PLASSE, P.C.
Attorneys for Plaintiff
352 7th Avenue, Suite 1242
New York, New York 10001

KAUFMAN BORGEEST & RYAN, LLP
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PRISON HEALTH SERVICES, INC.
120 Broadway
New York, New York 10271

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Assistant Corporation Counsel
MICHAEL A. CARDOZO
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100 Church Street
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that being the address within the State designated by them for the purpose of service upon them of the preceding papers in this action, or the place where they then kept an office for regular communication by mail.


Rosita Calixto

Sworn to before me on this
3RD day of June, 2011


Notary Public

EILEEN M. VENTRUDO
Notary Public, State of New York
No. 60-54880-0
Qualified in Westchester County
Cert. Filed in New York County
Commission Expires February 6, 2015